



Order Filed on January 8, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)

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LEONARD C. WALCZYK

Case No.: 19-28149

Chapter 13

Hearing Date: October 29, 2020

Judge: Honorable Rosemary Gambardella

In Re:

WILLIAM CHARLES HOVEY,

Debtors.

**INTERIM ORDER BY CONSENT DIRECTING THE RELEASE OF CERTAIN
PHOTOGRAPHS OF MACHINES AND EQUIPMENT LOCATED AT TELEMAR CNC,
LLC IN THE POSSESSION OF NON PARTY WITNESS DAVID A. NUFRIO, ESQ.,
WITHOUT PREJUDICE TO ENTRY OF FINAL ORDER IN CONNECTION WITH MR.
NUFRIO'S NOTICE OF MOTION TO QUASH CREDITOR ROBERT M. PIETROWICZ'S
SUBPOENA DUCES TECUM AND SUBPOENA AD TESTIFICANDUM COMPELLING
PRODUCTION OF ALL PHOTOGRAPHS BY MR. NUFRIO OF MACHINERY AND
EQUIPMENT LOCATED AT TELEMAR CNC, LLC**

The relief set forth on the following page is hereby **ORDERED**.

DATED: January 8, 2021

Date:


Honorable Rosemary Gambardella
United States Bankruptcy Judge

Caption of Order: Interim Order by Consent directing the release of certain photographs of machines and equipment located at Telemark CNC, LLC in the possession of non party witness David A. Nufrio, Esq., without prejudice to entry of Final Order in connection with Mr. Nufrio's Notice of Motion to Quash Creditor Robert M. Pietrowicz's Subpoena Duces Tecum and Subpoena Ad Testificandum compelling production of all photographs by Mr. Nufrio of machinery and equipment located at Telemark CNC, LLC

This matter having been opened to the Court upon the filing by non-party witness, David Nufrio, Esq. of a Notice of Motion to Quash the Subpoena Duces Tecum and Ad Testificandum served by Creditor, Robert M. Pietrowicz compelling production of all photographs of machinery and equipment located at Telemark CNC, LLC that Debtor, William Charles Hovey testified at his deposition were taken by Mr. Nufrio in or about September 2019 in support of Debtor's claim that the machinery and equipment at issue were allegedly vandalized and/or damaged, and the Court having reviewed the submissions received from Mr. Nufrio in support of his Notice of Motion to Quash and the opposition filed thereto by Creditor, Robert M. Pietrowicz and reply papers, if any filed by Mr. Nufrio and the Court having heard oral argument on October 29, 2020, at which time Mr. Nufrio consented to producing approximately fifty (50) photographs in advance of Court Ordered Mediation, which Mr. Nufrio represented he previously produced to the trial judge in an unrelated proceeding in the Superior Court of New Jersey, Law Division, Morris County, provided there was limited dissemination of the photographs; and for good cause shown;

IT IS HEREBY ORDERED that based on the consent of non-party witness, David Nufrio, Esq. set forth on the record on October 29, 2020, within ten (10) days of the entry of this Order, he shall turn over to Neal H. Flaster, Esq., co-counsel for Creditor Robert M. Pietrowicz, copies of approximately fifty (50) photographs which Mr. Nufrio represented he previously produced to the trial judge in an unrelated proceeding in the Superior Court of New Jersey, Law Division, Morris County; and it is further

ORDERED that within five (5) days of receipt from Mr. Nufrio of the approximately fifty (50) photographs referenced herein, Mr. Flaster shall forward copies of same to Creditor's co-Counsel, Leonard C. Walczyk, Esq. and Donald W. Clarke, Esq., Debtor's attorney, Dean G. Sutton, Esq., and the Court Ordered Mediator, the Hon. Donald H. Steckroth (Ret.); and it is further

ORDERED that the approximately fifty (50) photographs produced by Mr. Nufrio shall not be disseminated to persons outside of this proceeding other than as provided herein; and it is further

ORDERED that the terms of this Interim Order are without prejudice to the Court's Final Order to be entered in connection with Mr. Nufrio's Notice of Motion to Quash Creditor, Robert M. Pietrowicz's Subpoena Duces Tecum and Ad Testificandum and all further Order(s) of this Court.

United States Bankruptcy Court
District of New Jersey

In re:
William Charles Hovey
Debtor(s)

Case No. 19-28149-RG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Jan 08, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 10, 2021:

Recip ID	Recipient Name and Address
db	+ William Charles Hovey, 14 Balchen Way, Rockaway, NJ 07866-4702

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 10, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 8, 2021 at the address(es) listed below:

Name	Email Address
Dean G. Sutton	on behalf of Debtor William Charles Hovey dean@deansuttonlaw.com
Donald W Clarke	on behalf of Creditor Robert M Pietrowicz dclarke@genovaburns.com dclarke@ecf.inforuptcy.com
Leonard C. Walczyk	on behalf of Creditor Robert M Pietrowicz lwalczyk@wjslaw.com lwalczyk@ecf.inforuptcy.com;dmendez@ecf.inforuptcy.com
Marie-Ann Greenberg	magecf@magtrustee.com
Neal H. Flaster	on behalf of Plaintiff Robert M Pietrowicz nhf@flasterlawgroup.com
Neal H. Flaster	on behalf of Creditor Robert M Pietrowicz nhf@flasterlawgroup.com

District/off: 0312-2
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Page 2 of 2
Total Noticed: 1

Patrick J. Spina

on behalf of Creditor Valley National Bank info@pjspinalaw.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8